

**MINUTES OF THE MILLVILLE
TOWN COUNCIL WORKSHOP
September 26, 2017 @ 7:00 PM**

In attendance were Mayor Bob Gordon, Deputy Mayor Steve Maneri, Treasurer Susan Brewer, Secretary Valerie Faden, Council Member Peter Michel, Town Manager Debbie Botchie; and Town Clerk Matt Amerling.

1. CALL TO ORDER:

Mayor Gordon called the meeting to order at 7:00 p.m.

2. ROLL CALL

All Council members are present.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Gordon led the pledge of allegiance.

4. CITIZENS' PRIVILEGE, VISITORS, PRESENTATIONS & APPOINTMENTS

There were no comments.

5. NEW BUSINESS

- A.** Review the draft of Ordinance 18-02. Synopsis: If approved, Ordinance 18-02 will create a new Article IV in Chapter 132, "Taxation," of the Town Code. Article IV, entitled "Abatement of Real Estate Taxes," will give a one-year tax break for any parcel of property annexing into Town.

Town Manager Debbie Botchie stated the synopsis states exactly what this ordinance will do and this action has to be done because taxes have to be uniform, and the Town has engaged in an agreement with the property owner to bring them into the Town. Ms. Botchie stated this ordinance amendment will add a new article for permitting the abating of real estate taxes for one (1) year with regards to annexation within the Town in the taxation chapter of the Town Code. Town Clerk Matt Amerling stated in subsection 132-19, in the comment, Mr. Amerling wrote to have a time period of either "during 2017" or "from the date of the adoption of this ordinance," but it is ultimately up to Council to decide which timeframe; and Town Solicitor Seth Thompson and Mr. Amerling believed there should be some starting point for the ordinance and, if Council so desired, a time limit of when this article is valid. Council Member Valerie Faden stated she thought about whether or not there would be a corresponding policy and we may not need it because the policy is in the purpose statement, and Ms. Faden thinks the policy goes hand-in-hand with economic development. Ms. Faden stated she thinks the purpose is to encourage annexation because Council believes it's beneficial to the Town as a whole, so Ms. Faden can see having a start date but she doesn't think there needs to be an end date, unless, for some reason, the Town has "grown out of hand." Mr. Amerling stated he agrees. Ms. Botchie stated if an end date is decided upon at a later time, because this is an ordinance and in the Town

Code, another ordinance would have to be drafted and reviewed for approval by Council. Ms. Faden stated it may be easier to simply put a start date down now and, if for any reason it was needed to have an end date, it could be added at a later time via ordinance. Mr. Amerling stated his recommendation of putting a start date in the ordinance. Mayor Bob Gordon agreed. Ms. Faden stated she would suggest to place the language “during 2017 and thereafter.” Council agreed. Ms. Botchie stated she will check on whether these ordinances constitute a public hearing meeting.

B. Review the draft of Ordinance 18-03. Synopsis: If approved, Ordinance 18-03 will amend the Town of Millville Code at Chapter 132 Taxation, Article II, “Realty Transfer Tax” relating to an Abatement of Transfer Tax for Annexed Property.

Ms. Botchie stated this ordinance will abate the first transfer tax payment for a property annexed into the Town, reducing the transfer tax rate charged by the Town from one-point-five percent (1.5%) to point-seventy-five percent (.75%). Ms. Faden stated she sees in the proposed sub-section F that Town Solicitor Seth Thompson added what seems to be a time limit according to the language. Ms. Faden stated Council could add a five-year or ten-year limit but would have to remember to revisit the ordinance in five (5) or ten (10) years. Ms. Botchie stated she would be the one to remind Council to revisit such an item. Ms. Botchie stated what Mr. Thompson said about transfer tax is the time limit was taken from a Dover ordinance to promote getting business and property into its city limits. Ms. Botchie asked Mr. Amerling if he had seen a specific time limit in the Dover ordinance. Mr. Amerling stated no, because he looked at the Dover ordinance mostly for Ordinance 18-02 and not this ordinance (18-03), but Mr. Thompson had provided the language for this ordinance; however, whether having a time limit or not is purely up to the Council to decide. Ms. Faden stated yes, so it comes down to whether Council thinks this should be a limited opportunity right now and how far out does Council think that opportunity should be, and maybe Council should limit both ordinances 18-02 and 18-03 to make it easier to maintain them; or have no limit and if some situation happened, such as the State tax structure changed somehow, then Council would have to revisit to possibly amend. Deputy Mayor Steve Maneri stated if the Town can see whether the State wants to reduce the Town’s transfer tax more, Council would have to amend the Code anyways.

Mayor Gordon stated it would be nice to have an end date because it may get forgotten, but if it’s something like one (1) year or two (2) years, the ordinance would have to be reviewed sooner and more often. Ms. Faden stated the issue is this ordinance is only for property that’s annexed, and now that the ordinance is set, the Town has to take into account what the State is going to do every time the State changes the tax law. Ms. Faden stated even if the date were open-ended, Council still maybe would want to change it before the time limit is up, if the situation warrants it. Ms. Botchie stated the property tax is the Town’s business but the transfer tax can be tapped into by the State, but Ms. Botchie doesn’t see the State changing the transfer tax for many, many years. Ms. Botchie stated the property tax in Ordinance 18-02 is for one (1) year, which is fine, but with this abatement of transfer tax, that may go on for several years – developers don’t want it to go on for several years – because, to sell ninety-two (92) homes, it could take a while and if Council puts an end date on this ordinance, it may limit the developer. Mayor Gordon stated if the Town goes back in five (5) years and the developer hasn’t sold the

houses, Council will make changes to take care of that situation, and it will put the Town “in the driver’s seat” rather than someone else. Ms. Botchie stated the Town can take the minutes and suggestions from this meeting and go back to Mr. Thompson with the comments, and go from there. Ms. Faden stated this is for only for the first transfer tax after the property has been annexed into Town, but there is always a question with how long the process takes, and, if an end date is put in, is the Town messing itself up; so the Town should speak with Mr. Thompson about this ordinance. Mayor Gordon stated yes, because some development may come in and be a ten (10)- or twenty (20)-year buildout, which may stretch things out. Mr. Maneri stated he would like to put a two (2)-year limit on it because the Town could revisit it in two (2) years and make any necessary changes. Mr. Maneri asked if the time limit in the language should be January 1, 2017, to January 1, 2019. Ms. Faden stated yes. Ms. Botchie stated she will speak with Mr. Thompson about it.

6. OLD BUSINESS

A. Update, discuss and possible vote on the purchase of a new sign for the Town Hall municipal building. *Synopsis:* At its August 8, 2017, Town Council meeting, Council agreed to receive more options on signage for the Town Hall. At the September 12, 2017, Town Council meeting, Council agreed to give a two-week extension due to sign companies not responding to Town inquiries.

Ms. Faden stated she added in the packets some tips about designing signs and billboards in regards to size, typography, materials and colors. Ms. Faden stated with vendor one (1), the Town can get the black aluminum 4x4 posts for four-hundred-two dollars (\$402.00), or the 4x4 white PVC posts for one-hundred-seventy-five dollars (\$175.00); and the installation is four-hundred-fifty dollars (\$450.00). Mayor Gordon asked if the PVC is over top the pressure treated wood. Ms. Faden stated she would have to check with the vendor because they did not specify it. Ms. Faden stated the warranty for this vendor are, “materials and labor are warranted for one (1) year; acts of God and/or vandalism excluded,” but the vendor also mentioned, “the sandblasted signs have been out for fifteen (15) years and when they fade, [the vendor] repaints them and they look brand new.” Mayor Gordon asked if the sign is repainted at the Town’s cost. Ms. Faden stated yes.

Ms. Faden, for vendor two (2), they have signs which are eighteen (18) inches off the ground and Ms. Faden thinks it should be a little higher because 18 inches is too low. Mayor Gordon stated the reason to maybe put it closer to the ground is because, with high winds, the sign would have less opportunity to flex and bend. Council Member Susan Brewer asked if the vendor gave a reason as to why they recommend 18 inches. Ms. Faden stated she thinks it’s because this vendor worked on the monument sign and that kind of sign is typically lower to the ground. Ms. Faden stated, with the two vendors, there doesn’t seem to be a big difference in price, although it does depend on whether the sign is single-sided, double-sided, how the lettering is put on the sign, and what type of material the sign is made of. Ms. Faden stated, for vendor three (3), she still hasn’t heard from that company yet.

Mr. Maneri stated the Town should not consider vendor three (3) since they never got back to Ms. Faden. Mr. Maneri stated he researched a company and came up with a design which Mr.

Maneri shared with Council. Ms. Faden stated she thinks the sign would be OK if the background color were white. Mr. Maneri stated yes, don't worry about the colors as they can be chosen later. Ms. Faden stated she didn't think the wooden posts may work. Mr. Maneri stated he thought it would lend to the nautical theme. Ms. Faden asked how much the sign costs. Mr. Maneri stated the costs were listed on the next page. Ms. Faden stated the Town should ask Mr. Maneri's vendor if the komacell would have some kind of coating on it to help it last longer, and Council would have to decide on the types of posts. Mr. Maneri stated he doesn't think the sign should go over six (6) feet because the Town cannot go into DelDOT's easement near the sidewalk in front of Town Hall. Mr. Maneri further stated to consider where the irrigation line runs, and Mr. Scott Royals could come out and flag where the irrigation is located. Ms. Faden stated she would advise to put the words "Town of Millville" on Mr. Maneri's sign option, which means maybe shrinking down the size of the Town seal. Ms. Botchie stated another suggestion is to maybe change the border of the sign from the white stitching to a solid white border. Mr. Maneri stated the sign is four (4) feet by eight (8) feet and the posts can be however high the Town wants. Ms. Faden stated Council could table this to get more of the exact measurements in to the quote. Council Member Peter Michel stated he doesn't want to table the sign and he's "married to" Mr. Maneri's option.

Mr. Michel motioned to choose the style of Mr. Maneri's sign option offered by FastSigns in Annapolis, Maryland. Mayor Gordon stated he would like to see Mr. Maneri's sign get as a "seventy-two (72)-inch/six (6)-foot sign" because anything larger may be too big for the location of the sign. Ms. Botchie asked if Council would like to continue with the motion to choose the style and then move on later with the details. Council stated yes. Mr. Maneri asked Ms. Faden to help him with the sign options. Ms. Faden stated yes. Mr. Maneri seconded the motion. Motion carried 5-0.

7. CITIZENS' PRIVILEGE

There were no comments.

8. ANNOUNCEMENT OF NEXT MEETING – TOWN COUNCIL MTG., OCTOBER 10, 2017

9. ADJOURNMENT

Ms. Brewer motioned to adjourn at 7:56 p.m. Mr. Michel seconded the motion. Motion carried 5-0.

Respectfully submitted,
Matt Amerling, Town Clerk